

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AKIVA AVIKAIDA ISRAEL,
Plaintiff,
v.
COOPER, et al.,
Defendants.

No. 2:24-cv-1834-DC-DMC (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(ECF Nos. 10, 18)

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On June 9, 2025, the magistrate judge filed findings and recommendations herein which were served on the parties, and which contained notice that the parties may file objections within the time specified therein. (ECF No. 18.) No objections to the findings and recommendations have been filed.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and the magistrate judge's analysis.

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1 Accordingly, IT IS HEREBY ORDERED as follows:

2 1. The findings and recommendations filed June 9, 2025, ECF No. 18, are
3 adopted in full.

4 2. Defendants' partial motion to dismiss, ECF No. 10, is granted in part and
5 denied in part.

6 3. Defendants' motion is denied as to Plaintiff's retaliation claim against
7 Defendant Cooper, which is sufficient to proceed.

8 4. Defendants' motion is granted as to Plaintiff's Americans with Disabilities
9 Act (ADA) claim.

10 5. Plaintiff may file a first amended complaint as to Plaintiff's ADA claim
11 within 30 days of the date of this order.

12 6. If no first amended complaint is filed within the time permitted therefor,
13 this action shall proceed on Plaintiff's original complaint as to her retaliation claim against
14 Defendant Cooper only and Plaintiff's ADA claim and all other named defendants will be
15 dismissed without further order of the Court.

16 7. This matter is referred back to the assigned magistrate judge for further
17 proceedings.

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19 IT IS SO ORDERED.

20 Dated: August 11, 2025


Dena Coggins
United States District Judge